

REMARKS

Applicant respectfully requests entry of the amendments proposed herein to dependent claims 35-38, which depend (directly or indirectly) from independent claim 34.

Applicant's response filed 13 May 2010 amended independent claim 34 so as to be directed to a system. However, this response should have also amended dependent claims 35-38 so that they formally cohere with independent claim 34. Applicant seeks herein to correct Applicant's oversight with respect to claims 35-38, and apologizes to the Office for any inconvenience that this inadvertency has caused.

Claims 35-38 are proposed herein to be amended to recite "system" instead of "apparatus" in the preamble. In addition, claims 37 and 38 are proposed herein to be amended to recite that the "computer program logic when executed causes the one or more computers to" [estimate ... (claim 37)] or [upwardly adjust ... (claim 38)], rather than recite that the "method further includes" [estimating ... (claim 37)] or [upwardly adjusting ... (claim 38)].

Examiner Feeney should please not hesitate to call the undersigned at telephone number 301-227-1834 if any questions remain in this matter.

Respectfully submitted,

/Howard Kaiser/ 29 July 2010
HOWARD KAISER date
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